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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ELI SILVA, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

WHALECO, INC., d/b/a TEMU,

Defendant.

Case No. 3:24-cv-02890-SK

**DECLARATION OF SOPHIA G. GOLD,
ESQ. IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANT'S
MOTION TO COMPEL ARBITRATION**

**Judge: Hon. Sallie Kim
Date: September 16, 2024
Time: 9:30 a.m.
Courtroom: C**

DECLARATION OF SOPHIA G. GOLD

I, Sophia G. Gold, Esq., declare and state as follows:

1. I am a partner of the law firm KalieGold PLLC and counsel of record for Plaintiff Eli Silva in the above-captioned matter. I submit this declaration in support of Plaintiff's Opposition to Defendant Whaleco, Inc. d/b/a Temu's ("Temu") Motion to Compel Arbitration.

2. I have personal knowledge of the facts set forth herein and could and would competently testify to them if called upon to do so.

3. It is my understanding that thousands of claims similar to those alleged in this class action regarding Temu's deceptive advertising practices have already been filed against Temu in the American Arbitration Association (the "AAA") to date. I further believe that these similar claims have been filed by similar law firms, groups of law firms, or organizations.

4. Given the number claims filed to date, it is my understanding that Temu's Batch Arbitration provision in its Arbitration Agreement may be triggered in this case such that Plaintiff's claims could get batched into these pending cases and would suffer undue delay in achieving resolution.

5. To the extent the Court requires further information regarding the claims proceeding in arbitration against Temu, Plaintiff respectfully requests discovery on this issue.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 14th day of August 2024 in Oakland, California.

/s/ Sophia Goren Gold

Sophia Goren Gold